



OFFICE OF THE SECRETARY  
DEPARTMENT OF HEALTH AND MENTAL HYGIENE

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Neil Solomon, M.D., Ph.D., Secretary

September 7, 1971

TO: ALL STAFF

FROM: ROBERT G. JACOBS, DIRECTOR  
CIVIL RIGHTS COMPLIANCE OFFICE

SUBJECT: TITLE VI COMPLIANCE OFFICE

As of July 23, 1971 a Title VI Compliance Office was established within the Office of the Secretary. At that time you were advised that a separate document would be provided which would be more definitive regarding this change. The material which follows summarizes the responsibilities and objectives of this new office.

SUMMARY OF ENABLING LEGISLATION

Public Law 88-352 83th Congress, H.R. 7152 July 2, 1964, more commonly known as "Civil Rights Act of 1964" requires equal treatment for all citizens. The complete act contains eleven Titles. One of the Titles, Title VI, addresses itself to nondiscrimination in federally assisted programs. Section 601 of Title VI states that "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance".

Title VI requirements are clarified in CFR Regulation 45 titled "Nondiscrimination in Federally Assisted Programs". The state of Maryland, consistent with the spirit of the law, prompted the Governor to re promulgate the Executive Order relating to discriminatory practices on December 9, 1970. Additional support for Title VI comes specifically from Articles II, VI and VIII of the Executive Order.

PROGRAM DESCRIPTION

The Title VI Compliance Office is established to serve as the administrative, regulatory, and consultative arm of the Office of the Secretary of Health and Mental Hygiene. The office is specifically charged with the responsibility for developing, implementing, and monitoring procedures designed to assure compliance with applicable rules, regulations, and guidelines relating to Title VI in programs which have as their primary objective the delivery of a service and are supported directly or indirectly by Federal Aid.

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The term "Federal Aid" includes 1) grants and loans of Federal Funds 2) the grant of donation of Federal property and interests in property 3) the detail of Federal personnel 4) and 5) any Federal agreements, arrangements, or other contract which has as one of its purposes the provision of assistance. Examples of programs covered under Title VI are services rendered in nursing homes, hospitals, local health departments, community health and mental health centers, and other programs as outlined in Appendix A of CFR Regulation 45.

In view of the relationship of Title VI and the delivery of services, the Title VI Office is administratively responsible to the Assistant Secretary of Health and Mental Hygiene and Scientific Affairs and is attached to the Office of Program Services.

#### OBJECTIVES

Official responsibility for compliance with Title VI rests with the Secretary of Health and Mental Hygiene. However a major objective of the Title VI Office is to develop in cooperation with the appropriate program personnel those procedures and guidelines which will assure compliance at the delivery of service level rather than centralizing the responsibility in one administrative office. In view of this principle, the Title VI office will adopt a policy of decentralization of direct review responsibility. The objective of decentralization is to stress the cooperative responsibility of all staff members in effectively carrying out the mandates of the law. To accomplish this, we are adopting the policy of utilizing program personnel as Title VI coordinators in the various program areas who will be responsible for implementing those policies and procedures developed by the Title VI Office. The Title VI Office will advise and assist programmatic personnel, but the validity of our compliance program rests with staff members who are continuously involved in the delivery of services. Accordingly, the role of the Title VI Office is outlined below.

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#### GENERAL FUNCTIONS

The Title VI Compliance Office has responsibility for the following:

1. To provide leadership and guidance to Program Directors and Supervisory Personnel with regard to the development and conduct of affirmative actions to assure compliance with Title VI.
  2. To advise the Secretary of Health and Mental Hygiene relative to the preparation of plans, policies, procedures, rules, reports, and other matters pertaining to Title VI compliance.
  3. To develop and conduct in collaboration with the Office of Civil Rights, the Administration, and program officers, appropriate training of departmental staff and allied agencies, i.e., local health departments, in the area of Title VI compliance.
  4. To serve as liaison between the Office of Secretary of Health and Mental Hygiene and other agencies, i.e., Regional Office of Civil Rights, State Human Relations Commission, etc., who may be concerned with Title VI activities.
  5. To interpret to the executive and administrative staff, line employees and service clientele, enabling legislation governing Title VI compliance.
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DUTIES AND RESPONSIBILITIES OF TITLE VI OFFICE

1. Develop guidelines and outline requirements which supervisory and programmatic personnel are to follow in establishing and implementing their compliance programs.
2. Receive, investigate, and make recommendations to appropriate personnel relative to complaints of discrimination in program areas covered by Title VI and to assist in the development of effective procedures for filing complaints.
3. Develop a system utilizing Title VI coordinators within program area who are to assume responsibility for implementing relevant matters, pertaining to training, on-site reviews, auditing procedures, and dissemination of Title VI information.
4. Convene the Title VI coordinators of the various program areas in the furtherance of goals, policies, and procedures of the Title VI Compliance program.
5. Periodically evaluate the effectiveness of all compliance activities through review of reports or special site visits of service facilities.
6. Evaluate and monitor grant applications and delivery of service within grant programs which are federally funded.
7. Report on a regular basis to federal and state agencies requiring reports related to Title VI activities.
8. Interpret the content and objective of Title VI requirements orally and in writing to staff and general public.
9. Develop and maintain a system of records and reports regarding Title VI compliance activities as required by Federal law.
10. Develop and recommend changes in policy consistent with Title VI requirements.
11. Accept any other duties deemed necessary to the successful implementation of Title VI requirements.

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This program has been implemented and continues to monitor the activities of the Department in accordance with the above as well as the guidelines set forth by the United States Office for Civil Rights, Region III, Philadelphia, Pa.

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